

From:

01/18/2005 10:00 #027 P.002/000

MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.

Attorneys and Counselors

J. LEE HURNEY	THOMAS R. HURNEY	SHARON R. HOSKINA	D. JENNIFER HORTAQA	MATTIQUY K. BISHOP
BOYD A. HENDERSON	DAVID J. BARR	MARK E. BRYNDON	JOHN M. KOWAL	MARGA L. COOK
JOHN M. HANSEN	J. SCOTT THAYER	JEFFREY S. YORK	PATRICK J. KULLYAN	ALANA HANLARY
JOHN S. HANSEN	WILLIAM W. GALLAGHER	LAMARCA E. MURPHY	RICHARD E. KULLYAN	
DAVID A. HANSEN	ROBERT J. SHURTLEWORTH	PETER H. PETERSEN	DAVID K. KULLYAN	
JAMES B. HANSEN	DAVID H. LAMBERT	DAVID H. BUDAY	NATHAN E. KULLYAN	
PETER J. HANSEN	DAVID J. TAYLOR	JAMES R. PETERSEN	BARBARA K. KULLYAN	
W. JACK KIRBY	DAVID R. GORDON	YAMIN A. CUSTON	SHARON K. KULLYAN	
JOHN R. KIRBY	CHRISTINA F. GATZKA	MATTHEW L. MCAN	MATTHEW L. KULLYAN	
SCOTT J. FORTUNA, JR.	MARK E. RICE	GARY A. GRAMMISKEY	MICHAEL E. STROETMAN	
ROBERT D. BROWNE	JOHN T. FOSB	JOHN H. GRAMMISKEY	MELISSA HOSKINA	
MICHAEL A. DUNN	ALAN C. SCHMIDT	GARY C. KANE	ROBERT W. O'BRIEN	
J. MICHAEL BROWN	JEFFREY E. LAMBERT	JOHN A. KULLYAN	MICHAEL J. COULTON	
RONALD E. FOSB	CATHERINE E. MCLEOD	JOHN P. KIRBY	WENDY M. PAIR	
BRENT D. KIRBY	ROBERT A. STAD	FRANK H. BOUTON II	BARBARA W. PROFFER	
ROBERT W. KIRBY	ELIZABETH M. SHAWTYN	ELIZABETH GRACE DAVIS	ROBERT D. WOLFORD	
JAMES C. BRUNHAM	DANIEL F. PINK	JENNIFER L. JORDAN	MARCO W. CAMPBELL	
DAVID A. HUTTON	MARY V. BAUMANN	JAMES L. HOSKINA	ROBERT M. DAVIES	
THOMAS R. BARR	KENNETH G. HOSKINA	CHARLES L. SCHILL	CATHERINE A. TRACY	
JEFFREY E. LAMBERT	JACK C. CLAY	CAROLINE M. DELMUSCH	DAVID R. CLEVELAND	
DAVID L. HANSEN	THOMAS J. RYAN	MARK E. HOSKINA	STEVEN J. LAMBERT	
CLIFFORD G. HANSEN	STEPHEN R. RYAN		ERIC J. CHURCHILL	

CALDER PLAZA BUILDING
260 MONROE AVENUE NW, SUITE 800
PO BOX 308
GRAND RAPIDS, MICHIGAN 49501-0308

616.831.1700
616.831.1701 fax

KALAMAZOO, MICHIGAN 268.236.2860

www.millerjohnson.com

III MERITAS LAW FIRMS WORLDWIDE

January 18, 2005

VIA FACSIMILE

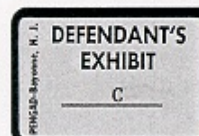
Robert W. Smith, Esq.
Silverman, Smith, Bingen & Rice, P.C.
151 S. Rose Street
707 Comerica Bldg.
Kalamazoo, MI 49007

RE: Steelcase Inc. v Harbin's Inc., et al.

Dear Mr. Smith:

I am responding to your letter of January 17, 2005.

As I explained both in our telephone conversation of Friday, January 14, 2005, and late in the day on January 17, 2005, we have concluded that we need to take Mr. Harbin's deposition in person. Therefore, we are insisting that Mr. Harbin present himself, at his expense, for a deposition in Michigan at your offices in Kalamazoo, and the telephonic deposition, scheduled for tomorrow, January 19, 2005 is cancelled. It is my understanding both you and Mr. Harbin are available to do so on the dates mentioned in your letter of January 17, 2005. Accordingly, we propose that we take Mr. Harbin's deposition in your offices in Kalamazoo beginning at 9:30 a.m. on Thursday, January 27, 2005. If for some reason that date does not work, let us know and we can find a mutually convenient alternative. However, because of the time pressures involved, we need to proceed with the deposition in late January or early February at the latest.



FROM:

01/19/2005 15:07 #027 P.0037000

MILLER, JOHNSON, SNELL & CUMMISKEY, PLC

Robert W. Smith, Esq.
January 18, 2005
Page 2

In regard to our request for documents, it is my understanding that you and Sara Lachman of our office have agreed on the relevant period starting July, 2002. We reserve the right, of course, to request documents for earlier period of times should that appear necessary following Mr. Harbin's deposition.

In regard to the corporation's documents, if in fact Mr. Harbin no longer has those under his custody or control, so be it. If, however, those documents are within his custody and control, they should be produced. We expect to explore that subject during his deposition.

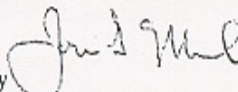
Similarly, in regard to his personal bank records, we frankly are suspicious of his earlier representations, conveyed through you, that he has few or any of those documents. Again, we expect him to produce what he has under his custody and control. If he thinks it is to his advantage to obtain a "complete set" from his financial institutions, that is his decision, but Steelcase will not reimburse him for the cost of doing so.

Finally, you have indicated that your client will not stipulate to amend the Case Management Order deadline date to March 1, 2005, by which we can amend the pleadings in this case. We will, therefore, file a contested motion on that point. At the same time, we will ask that the Case Management Order be amended, to the extent it required Mr. Harbin to be deposed within 30 days of the date of December 15, 2004.

If January 27th is not acceptable, please let me know as soon as possible and provide an alternative date. We have presumed that we could take the deposition at your office, assuming that it would be most convenient for you and Mr. Harbin. If that is incorrect, please let us know and we will notice the deposition for our offices in Kalamazoo.

Very truly yours,

MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.

By 
Jon G. March

JGM/jy
cc: Hope Harbin Patterson (via facsimile)